

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

GERARDO MEJIAS DELGADO
CANDIDA CRUZ MELENDEZ

DEBTOR(S)

CASE NO. 09-02351-BKT

CHAPTER 13

**DEBTORS' MOTION REQUESTING ORDER
RE: AUTHORIZATION TO USE FUNDS FROM TAX REFUND**

TO THE HONORABLE COURT:

NOW COMES, **GERARDO MEJIAS DELGADO and CANDIDA CRUZ MELENDEZ**, debtors, through the undersigned attorney, and very respectfully state and pray as follows:

1. The debtors' confirmed Plan dated November 3, 2010, provides that "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds". See docket no. 31.

2. The debtors have received their 2009 tax refund in the sum of \$2,307.00. Attached is copy of the check as received from the Treasury Department of Puerto Rico.

3. The debtors need to use the funds from the "tax refunds" to pay for house maintenance expenses. Attached is copy of an estimate for such expenses.

4. Based on the above stated, the debtors respectfully request this Court to Order the authorization of the use of these funds to allow the debtors to pay for this expense with their "tax refund".

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Debtor's Motion Requesting Order
Case no. 09-02351-BKT

WHEREFORE, debtors, through the undersigned attorney respectfully request that this Honorable Court grant the foregoing motion and allow the use of the funds from the 2009 tax refund by the debtors to pay for the above stated expense.

NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; I also certify that a copy of this motion was sent via US Mail to Gerardo Mejias Delgado and Candida Cruz Melendez, HC 03 Box 37840 Caguas PR 00725.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 31st day of August, 2010.

[Signature]
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONERS
PO BOX 193677 SAN JUAN PR 00919-3677
TEL NO 787-744-7699 FAX 787-746-5294
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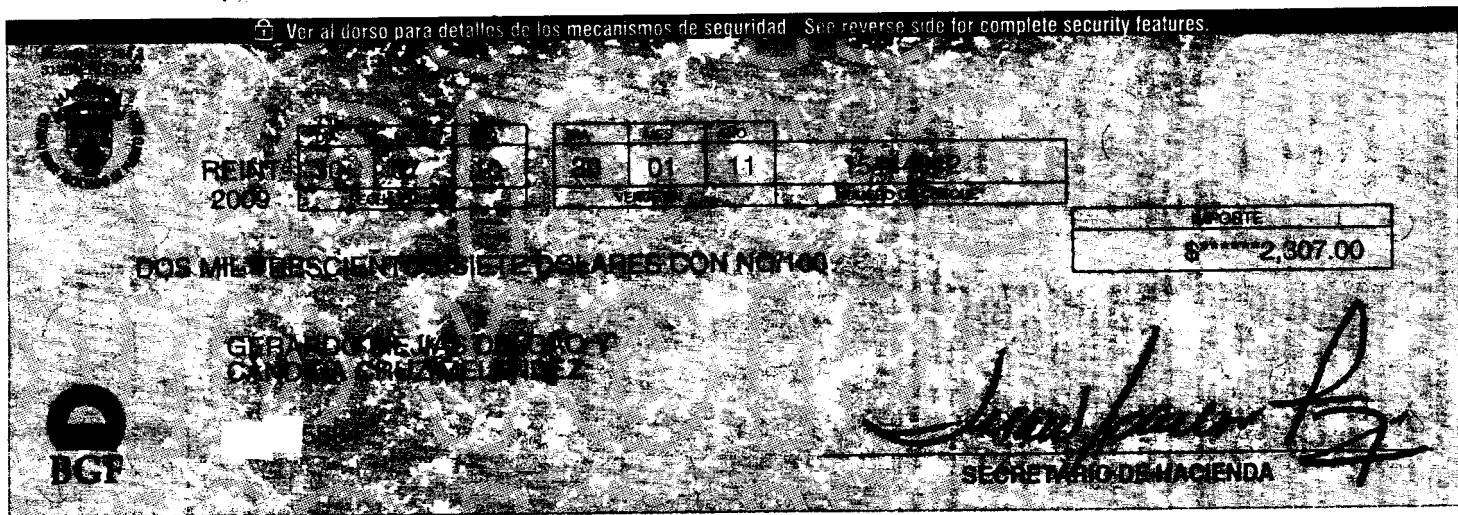
FECHA	NUMERO DE COMPROBANTE	DESCRIPCION/CONTRATO	FACTURA/OPE	IMPORTE DEL COMPROBANTE
30/07/10	000008	REINT 2009 5884	---	\$***2,307.00

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Caguas

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